

IN RE: PETITION FOR ZONING VARIANCE
End of Culdesac, Dunscombe Ct.
230' W of Cripplegate Road
(3 Dunscombe Court)
10th Election District
3rd Councilmanic District
William R. Wills, et ux
Petitioners

* BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-438-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a recreational vehicle to be stored in the front yard in lieu of the required side yard, 8 feet behind the front wall of the dwelling, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by William R. Wills, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 3 Dunscombe Court, is zoned R.C.4 and consists of approximately one acre. Mr. Wills testified that he has stored a boat undercover in the location marked on Petitioner's Exhibit 1 for the past 10 years. Mr. Wills further testified that the instant petition was filed as a result of a complaint received by the Zoning Office against the storage location of the boat. Mr. Wills testified that the complainant has since sold his home and moved out of state. He indicated that due to the grade of his property, the boat cannot be stored in strict compliance with the zoning regulations. Testimony and pictures introduced show that landscaping and the grade of the driveway where the boat is located minimize profile visibility.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements

of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of July, 1988 that the Petition for Zoning Variance to permit a recreational vehicle to be stored in the front yard in lieu of the required side yard, 8 feet behind the front wall of the dwelling, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The storage of a recreational vehicle is limited to a boat 19 feet or less.
- 2) The boat shall be stored under cover at all times.
- 3) The storage location for the Petitioners' boat shall be no closer to the front of the driveway than that depicted on Petitioner's Exhibit 1 as the present storage location.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

July 14, 1988



Dennis F. Rasmussen
County Executive

Mr. & Mrs. William R. Wills
3 Dunscombe Court
Phoenix, Maryland 21131

RE: PETITION FOR ZONING VARIANCE
End of Culdesac, Dunscombe Court, 230' W of Cripplegate Road
10th Election District; 3rd Councilmanic District
Case No. 88-438-A

Dear Mr. & Mrs. Wills:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted subject to the restrictions noted in the attached order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ

Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Enclosure

cc: People's Counsel

File

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 10TH Date of Posting 4/18/88
Posted for: Variance
Petitioner: William R. Wills, et ux
Location of property: 3 Dunscombe Ct.
Location of Signs: 4/18/88 - Hearing post removed
Remarks: Sign available for review only. Sign removed
Posted by: [Signature] Date of return: 4/24/88
Number of Signs: 1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 10TH Date of Posting 4/18/88
Posted for: Variance
Petitioner: William R. Wills, et ux
Location of property: Dunscombe Court, 230' W of Cripplegate Rd.
Location of Signs: 4/18/88 - Hearing post removed
Remarks: Sign available for review only. Sign removed
Posted by: [Signature] Date of return: 4/24/88
Number of Signs: 1

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-438-A
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 415.A.1 To allow a recreational vehicle to be stored in the front yard in lieu of the required side yard 8 feet behind the front wall of the dwelling.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED STATEMENT

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) William R. Wills
Signature [Signature]
Address 3 Dunscombe Ct.
City and State Phoenix, Md.
Attorney for Petitioner:
(Type or Print Name) Ann M. Nastarowicz
Address 494-3353
City and State Towson, Md.
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State Towson, Md.
Name William R. Wills
Address 3 Dunscombe Ct.
City and State Phoenix, Md.
Phone No. 628-6338
Attorney's Telephone No.: 494-3353

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of July, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of April, 1988, at 2 o'clock

ESTIMATED LENGTH OF HEARING 1/2 HR.
AVAILABLE FOR HEARING 1988
MON./TUES./WED. - NEXT TWO MONTHS (over)
ALL OTHER DATE 2-4-88
REVIEWED BY: [Signature]

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., April 7, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 7, 1988

THE JEFFERSONIAN,

[Signature]
Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Law of Baltimore County, will hold a public hearing on the petition for a Variance from Section 415.A.1 to allow a recreational vehicle to be stored in the front yard in lieu of the required side yard 8 feet behind the front wall of the dwelling.
In the event that this Petition is granted, a hearing permit may be issued within the forty (40) day appeal period. The Zoning Commission request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner
Baltimore County
4023 Apr. 7.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: _____

Mr. & Mrs. William R. Wills
3 Dunscombe Court
Phoenix, Maryland 21133

Re: Petition for Zoning Variance
Case Numbers: 88-438-A
End of Cul-de-sac of Dunscombe Court, 250' ± SW c/l Cripplelegue Rd.
(3 Dunscombe Court)
10th Election District - 3rd Councilmanic District
Petitioner(s): William R. Wills, et ux
HEARING SCHEDULED: THURSDAY, APRIL 26, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Wills:

Please be advised that _____ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 Fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:gs

cc: File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case Numbers: 88-438-A
End of Cul-de-sac of Dunscombe Court, 250' ± SW c/l Cripplelegue Road
(3 Dunscombe Court)
10th Election District - 3rd Councilmanic District
Petitioner(s): William R. Wills, et ux
HEARING SCHEDULED: THURSDAY, APRIL 26, 1988 at 9:00 a.m.

Variance from Section 415.8.1 to allow a recreational vehicle to be stored in the front yard in lieu of the required side yard 8 feet behind the front wall of the dwelling.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

MAR 07 1988

Resailed: March 30, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case Numbers: 88-438-A
End of Cul-de-sac of Dunscombe Court, 250' ± SW c/l Cripplelegue Road
(3 Dunscombe Court)
10th Election District - 3rd Councilmanic District
Petitioner(s): William R. Wills, et ux
HEARING SCHEDULED: THURSDAY, APRIL 26, 1988 at 9:00 a.m.

Variance from Section 415.8.1 to allow a recreational vehicle to be stored in the front yard in lieu of the required side yard 8 feet behind the front wall of the dwelling.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

P.S.

Dear Mr. & Mrs. Wills:
Per my conversation with Mrs. Wills, if you wish to postpone this hearing, please do so in writing. Be advised that a May hearing date is contingent on a slot being opened via someone else's postponement request. Therefore, if you do postpone, it is likely that a new date will be assigned sometime in June.

Docket Clerk
494-3354

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 18, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
000

Mr. William R. Wills, et ux
3 Dunscombe Court
Hunt Valley, MD 21131

RE: Item No. 282 - Case No. 88-438-A
Petitioner: William R. Wills, et ux
Petition for Zoning Variance

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Dear Mr. & Mrs. Wills:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:cer

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: March 24, 1988

FROM: P. David Fields
Director of Planning and Zoning
Zoning Petition Nos. 88-419-A
88-420-A, 88-421-A, 88-422-A,
SUBJECT: 88-437-A, 88-438-A, 88-439-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields per J. Haineswell
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3354

March 2, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comment for items number 280, 281, 282 and 284.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/pal-b

Baltimore County
Fire Department
Townson, Maryland 21204-2536
494-4500

Paul H. Reincke
Chief

February 11, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: William R. Wills, et ux

Location: End of cul-de-sac of Dunscombe Ct. 250' ± SW of c/l Cripplelegue Road

Item No.: 282 Zoning Agenda: Meeting of 2/16/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/j31

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

James Dyer
TO: Zoning Supervisor

Date: 3-2-88

FROM: James Thompson
Zoning Enforcement Coordinator

Item No.: 282 (if known)
SUBJECT: Petitioner: Wills (if known)

VIOLATION CASE # C-88-968

LOCATION OF VIOLATION 3 DUNSCOMBE CT

DEFENDANT Wills ADDRESS 3 DUNSCOMBE CT

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS

Erin Grenley

1 Dunscombe Ct

Phoenix, MD

2113

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

3/15/88 I called Mr. Grenley on this date to report the date and time of the subject hearing

PETITIONERS
PROTESTANT(S) EXHIBIT (2)



2A



2B

PETITIONERS
PROTESTANT(S) EXHIBIT ()



2C

